

JUL. 20. 2006 12:44PM

16509618301

RECEIVED NO. 631 P. 1  
CENTRAL FAX CENTER

JUL 20 2006

# BEYER WEAVER & THOMAS, LLP

## INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040  
Telephone: (650) 961-8300 Facsimile: (650) 961-8301  
[www.beyerlaw.com](http://www.beyerlaw.com)

## FACSIMILE COVER SHEET

July 20, 2006

**Receiver:** U.S. Patent and Trademark Office

**TEL #:**

**FAX #:** (571) 273-8300

**Sender:** Susan W. Xu for Justin A. White

**Our Ref. No.:** IGT1P116/P-347  
(formerly IGTECH.0007P)

**Re:** U.S. Patent Application No. 09/631,855  
**Filed:** August 3, 2000  
**Title:** METHOD AND APPARATUS FOR VOUCHER SORTING AND RECONCILIATION IN SOFT COUNTY PROCESS

Pages Including Cover Sheet(s): 30

### MESSAGE:

Please file the attached Appeal Brief in the referenced matter.

---

### CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

RECEIVED  
CENTRAL FAX CENTER

JUL 20 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Richard Rowe

Attorney Docket No.: IGT1P116/P-347  
(formerly IGTECH.0007P)

Application No.: 09/631,855

Examiner: A. Duran

Filed: August 3, 2000

Group: 3622

Title: METHOD AND APPARATUS  
FOR VOUCHER SORTING AND  
RECONCILIATION IN SOFT  
COUNT PROCESS

Confirmation No.: 9950

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on July 20, 2006.

Signed: Susan W. Xu  
Susan W. Xu

**COMMUNICATION**

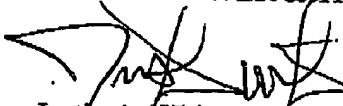
Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This brief is in response to the Notice of Non-Compliant Appeal Brief mailed on July 17, 2006, the period of response for which extends through August 17, 2006. For purposes of convenience, the entire Appeal Brief of July 3, 2006 is included with appropriate corrections herein.

Applicants believe that no fee is required in connection with the filing of this paper. If any fees are due for this application in general, however, then the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0388, referencing Docket No. IGT1P116.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

  
Justin A. White  
Reg. No. 48,883

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300

IGT1P116/P-347

1 of 1

JUL. 20. 2006 12:45PM 16509618301

NO. 631 P. 3

RECEIVED  
CENTRAL FAX CENTER

JUL 20 2006 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF APPEALS

---

EX PARTE RICHARD ROWE

---

Application for Patent

Filed August 3, 2000

Application No. 09/631,855

FOR:

METHOD AND APPARATUS FOR VOUCHER SORTING  
AND RECONCILIATION IN SOFT COUNT PROCESS

---

APPEAL BRIEF

---

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by  
facsimile to fax number 571-273-8300 to the U.S. Patent and  
Trademark Office on July 20, 2006.

Signed: Susan W. Xu  
Susan W. Xu

BEYER WEAVER & THOMAS, LLP  
Attorneys for Applicants

IGT1P116

i

U.S. Application No.: 09/631,855

**TABLE OF CONTENTS**

	<u>Page No.</u>
<b>I. REAL PARTY IN INTEREST</b>	<b>1</b>
<b>II. RELATED APPEALS AND INTERFERENCES</b>	<b>1</b>
<b>III. STATUS OF CLAIMS</b>	<b>1</b>
<b>IV. STATUS OF AMENDMENTS</b>	<b>1</b>
<b>V. SUMMARY OF CLAIMED SUBJECT MATTER</b>	<b>2</b>
<b>VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL</b>	<b>6</b>
<b>VII. ARGUMENT</b>	<b>6</b>
A)    The rejection of claims 1-22 and 25-26 under 35 U.S.C. §103(a)	6
1.    Improper repeat basis for rejection	6
2.    Independent claims 1, 14 and 25	8
3.    Dependent claims 3, 4 and 8	12
4.    Independent claims 9 and 17	13
5.    Dependent claims 10, 11 and 12	15
B)    Conclusion	16
<b>VIII. CLAIMS APPENDIX</b>	<b>17</b>
<b>XI. EVIDENCE APPENDIX</b>	<b>25</b>
<b>X. RELATED PROCEEDINGS APPENDIX</b>	<b>26</b>

**I. REAL PARTY IN INTEREST**

The real party in interest is IGT, the assignee of the present application, having an address at 9295 Prototype Drive, Reno, Nevada 89521.

**II. RELATED APPEALS AND INTERFERENCES**

The undersigned is not aware of any related appeals and/or interferences.

**III. STATUS OF CLAIMS**

There are 24 total claims pending in this application, namely claims 1-22 and 25-26. No claims have been allowed or have been indicated as being allowable. Claims 1, 9, 14, 17 and 25 are independent. Claims 2-8 depend directly or indirectly from independent claim 1. Claims 10-13 all depend directly from independent claim 9, while claims 15-16 both depend directly from independent claim 14. Claims 18-22 depend directly or indirectly from independent claim 17, while claim 26 depends directly from independent claim 25. Claims 23-24 have been canceled during prosecution.

Claims 1-22 and 25-26 all stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,067 to Luciano, et al. ("Luciano") in view of U.S. Patent No. 5,470,079 to LeStrange, et al. ("LeStrange").

All rejections of all claims are appealed in this brief.

**IV. STATUS OF AMENDMENTS**

The last amendment of claims by Applicant was the addition of new claims 25-26 in a Response dated March 7, 2005. These new claims were entered and considered in the next Office Action of June 8, 2005. No claim amendments or addition of new claims has been made since this time. As such, there are no claim amendments that have not been entered, and the claims presented in the Claims Appendix herein represent the pending claims with all amendments made during prosecution having been entered.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

### Independent claims 1, 14 and 25

The present invention relates generally to the field of gaming machines, and in particular to wager based gaming machines adapted to utilize tangible cash vouchers ("vouchers"). More specifically, the present invention, as defined in independent claims 1, 14 and 25, relates to methods of utilizing or reconciling vouchers within a gaming system including at least one gaming machine. While claims 1 and 25 are directed toward methods of utilizing or using vouchers in a gaming system, claim 14 is specifically directed toward a method "of reconciling cash vouchers and bill monies accepted by [a] gaming machine." In particular, and among various other method steps, each of independent method claims 1, 14 and 25 include steps directed to "crediting" a value associated with a particular voucher accepted by a gaming machine, "retrieving" vouchers from that gaming machine, and then reconciling (i.e., "comparing" or "determining") such retrieved vouchers against credit information stored for such retrieved vouchers. Voucher storing, retrieval, sorting and reconciliation are all described in detail in the specification and illustrated in the figures. Figure 4, for example, is a flowchart dedicated to "a method of sorting and reconciling vouchers accepted by a gaming machine" (Specification, page 6, lines 12-13; page 16, line 17 through page 18, line 21; Figure 4).

In general, the claimed methods involve the use of gaming machines within gaming systems (Figure 1) that are adapted to utilize vouchers (Figure 2). Each such gaming machine is adapted to receive a cash value wager that entitles a player to participate in a game, whereupon the player can be paid a cash or cash value award if the player wins the game (Specification, page 7, lines 17-23; page 9, lines 13-17). Preferably, "each gaming machine 22 is arranged to accept both bill-type monies 25 [] and vouchers 24" (Specification, page 8, lines 2-3; Figure 3). A voucher acceptable for credit by a gaming machine can be a ticket type item having both human readable and machine readable information thereupon, which information can include a cash value and a validation code (Specification, page 8, lines 7-23; Figure 2). Information regarding vouchers accepted by gaming machines can be transferred to a central host, which can include one or more computers and at least one data storage element for storing information regarding the vouchers (Specification, page 9, line 19 through page 10, line 8; Figure 1). Each gaming machine includes a validating mechanism and a storage device for bill monies and vouchers (Specification, page 12, lines 20-21; Figure 3). The validating mechanism can operate to validate vouchers in conjunction with the central host, whereupon

credit is then provided to a player accordingly, while the storage device can comprise a secure container for bill monies and vouchers accepted by the gaming machine (Specification, page 13, lines 4-23; Figure 3).

In particular, the claimed methods involve steps relating to the crediting, storing, retrieving, sorting, comparing and/or determining with respect to such vouchers accepted by gaming machines. While crediting a value with respect to a voucher and storing such a voucher in a gaming machine are noted above, retrieving such vouchers and/or intermingled vouchers and bill monies can begin the start of a soft count process at a gaming establishment (Specification, page 14, lines 1-10; page 16, lines 17-24; Figure 4). A sorting step can then involve the separation of vouchers from bill monies (Specification, page 15, lines 1-20; page 17, lines 6-7; Figure 4). Reconciliation can then involve steps of comparing information from retrieved vouchers to information on record, and/or determining if a total value of retrieved vouchers and bill monies comprises a total value credited for accepted vouchers and bill monies (Specification, page 17, line 16 through page 18, line 8; Figure 4). Such steps may be performed within a soft count system provided within the overall gaming system (Specification, page 10, lines 10-14; page 15, line 1 through page 16, line 15; Figure 1).

#### **Dependent claim 3**

Claim 3 depends directly from dependent claim 2, which depends directly from independent claims 1. Claim 3 adds the following steps:

"retrieving said at least one bill money and said at least one cash voucher from said at least one gaming machine; and sorting said at least one cash voucher from said at least one bill money."

From independent claim 1 and dependent claim 2, the claimed method involves accepting by a gaming machine at least one cash voucher and also at least one bill money (Specification, page 7, line 22 through page 8, line 4). Dependent claim 3 further specifies that this bill money and voucher be retrieved from the gaming machine and sorted from each other (Specification, page 14, lines 7-10; page 15, lines 1-20). Steps similar to these of dependent claim 3 are also contained in independent claim 25.

#### **Dependent claim 4**

Claim 4 depends directly from independent claim 1, and adds the following step to the claimed method:

"reading information from said at least one cash voucher after said at least one cash voucher is retrieved from said at least one gaming machine"

From independent claim 1, the claimed method involves accepting by a gaming machine at least one cash voucher and also retrieving one or more cash vouchers from the gaming machine (Specification, page 7, line 22 through page 8, line 4; page 14, lines 7-10). Dependent claim 4 further specifies the reading of information from this accepted and retrieved voucher (Specification, page 14, lines 17-23; page 17, lines 6-14).

#### **Dependent claim 8**

Claim 8 depends directly from independent claim 1, and adds the following step to the claimed method:

"reconciling said at least one accepted cash voucher with said one or more retrieved cash vouchers."

From independent claim 1, the claimed method involves accepting by a gaming machine at least one cash voucher and also retrieving one or more cash vouchers from the gaming machine (Specification, page 7, line 22 through page 8, line 4; page 14, lines 7-10). Dependent claim 8 further specifies the reconciling of the accepted voucher with the retrieved voucher (Specification, page 14, lines 20 through page 18, line 21).

#### **Independent claims 9 and 17**

While independent claims 1, 14 and 25 above are directed toward methods, the remaining independent claims 9 and 17 are directed toward systems, and particularly a soft count system, adapted to facilitate these claimed methods. As such, there is substantial overlap in the claimed subject matter, with the claimed systems including in particular a container, a data storage element, a sorting mechanism, a scanner, and/or a computing device. (Specification, page 13, line 10 through page 18, line 8; Figures 1 and 3). These soft count system items are adapted to function with respect to the storing of vouchers, the storing of data with respect to such vouchers, the sorting of such vouchers, the scanning of such vouchers and/or the determining of whether the value of scanned vouchers is the same as the value of vouchers that were stored, as noted above.

**Dependent claim 10**

Claim 10 depends directly from independent claim 9, and adds the following element to the claimed soft count system:

"wherein said sorting mechanism includes a high speed scanner."

From independent claim 9, the claimed system includes the element of a scanner for reading information associated with cash vouchers (Specification, page 15, lines 2-23).

Dependent claim 10 further specifies that such a scanner may be a high speed scanner (Specification, page 15, lines 12-20).

**Dependent claim 11**

Claim 11 depends directly from independent claim 9, and adds the following element to the claimed soft count system:

"wherein said sorting mechanism includes a bill sorter and a reject area and said sorting mechanism is arranged to sort said cash vouchers into said reject area."

From independent claim 9, the claimed system includes the element of a sorting mechanism arranged to sort bill monies and cash vouchers (Specification, page 15, lines 2-23). Dependent claim 11 further specifies that such a sorting mechanism can be arranged to sort bill monies and cash vouchers to separate areas, such as a reject area (Specification, page 15, lines 10-12; Claim 11 as originally filed).

**Dependent claim 12**

Claim 12 depends directly from independent claim 9, and adds the following element to the claimed soft count system:

"wherein said soft count system includes means for generating an image of at least one of said cash vouchers."

From independent claim 9, the claimed system includes the elements of a data storage element, a sorting mechanism and a scanner (Specification, page 15, lines 2-23). Dependent claim 12 further specifies that the system may further include a means for generating an image of at least one cash voucher, such as a digital camera (Specification, page 19, lines 11-15).

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

(A) Claims 1-22 and 25-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,500,067 to Luciano, et al. ("Luciano") in view of U.S. Patent No. 5,470,079 to LeStrange, et al. ("LeStrange").

**VII. ARGUMENT****A) The rejection of claims 1-22 and 25-26 under 35 U.S.C. §103(a)****1. Improper Repeat Basis for Rejection**

Before addressing the merits of the pending rejections, Applicant respectfully wishes to express dismay at the way Office has failed to directly address Applicant's written positions and has repeatedly flip-flopped in its positions. The pending Office Action of December 2, 2005 is the latest in a series of Office Actions that repeatedly fail to address arguments first raised by Applicant in Applicant's Response of December 16, 2004. Since this time, Office Actions have issued on January 18, 2005, on June 8, 2005, and on December 2, 2005, none of which address the arguments first raised by Applicant in this Response of December 16, 2004. In fact, the pending Office Action of December 2, 2005 is virtually an exact replica of the previous Office Action of June 8, 2005, from which Applicant had apparently successfully appealed in a five-page Pre-Appeal Brief Request For Review, filed by Applicant on October 11, 2005. (A Notice of Panel Decision indicating that a new Office Action would be mailed issued on November 11, 2005.) The only apparent differences between the December 2, 2005 and the June 8, 2005 Office Actions are that the next to last paragraph on page 11 of the June 8 Office Action was moved to the bottom of page 5 of the December 2 Office Action, and that the December 2 Office Action includes several generic added lines toward the end on page 12, which generic added lines do not address any of the noted deficiencies with respect to the rejections of the independent claims. Applicant respectfully submits that the issuance of a replica Office Action after a Notice of Panel Decision indicating that a new Office Action would be mailed is procedurally improper.

Not only was the rejection resuscitated after a successful request for a Pre-Appeal Conference, but it was earlier resuscitated after a withdrawal following RCE. Specifically, a previous Final Office Action issued for the pending application on September 28, 2004, rejecting claims in part because, "Luciano is considered to disclose the step of . . . retrieving

money and reading cash vouchers . . . and reconciling and sorting (column 5 lines 23-43).” Applicant then filed a Request for Continued Examination (“RCE”) on December 16, 2004. In the Response that accompanied this RCE, Applicant argued against what was allegedly taught by Luciano per these pending rejections. In particular, Applicant noted, “the material elements and steps of a gaming machine and the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano.” The next Office Action issued on January 18, 2005, *withdrawing* the previous grounds for rejection, and rejecting all of the pending claims as obvious over Applicant’s own art in view of Luciano. This first Office Action after RCE stated, “Applicant’s arguments with respect to claims 1-24 have been considered but are moot in grounds of the new rejection above.” This Office Action then offered comments and arguments to rebut Applicant’s arguments with respect to gaming devices and vouchers in Luciano, although Applicant does not fully agree with these comments and arguments that were then presented. Importantly, however, *no comment, argument or rebuttal was made with respect to Applicant’s position that “the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano.”*

Applicant then filed a Response to this first Office Action after RCE on March 7, 2005, amending no claims and successfully arguing against the rejections of claims as being obvious over Applicant’s own art in view of Luciano. Both the subsequent Office Action after RCE of June 8, 2005, and now pending replica Office Action of December 2, 2005, again reject all claims, and revert to the same previously withdrawn position that “Luciano is considered to disclose the step of . . . retrieving money and reading cash vouchers . . . and reconciling and sorting (column 5 lines 23-43).” As in the prior Office Action of January 18, 2005, no rebuttal was made of Applicant’s prior arguments against this position in this Office Action of June 8. “Where the applicant traverses any rejection, the examiner should take note of the applicant’s argument and answer the substance of it.” MPEP § 707.07(f). “The importance of answering applicant’s arguments is illustrated by *In re Herrmann* [and] *In re Soni*,” where the Office failed to question or rebut applicant arguments, resulting in the arguments being accepted at face value. *See*, MPEP § 707.07(f). Here, Applicant has provided arguments regarding an incorrect position taken with respect to the prior art. Despite not addressing these arguments for multiple Office Actions now, this incorrect position is still being maintained in the current rejections. Applicant reiterates and maintains the same unanswered arguments regarding this reading of Luciano, and respectfully submits that the failure to address these arguments for multiple Office Actions should at the very least prevent

this position from being repeatedly and unfairly maintained. Accordingly, Applicant respectfully requests reversal of the pending rejections for at least this reason.

## 2. Independent claims 1, 14 and 25

Claims 1, 14 and 25 pertain to methods of utilizing, reconciling or using vouchers in a gaming system. Claims 1, 14 and 25 are all rejected under 35 U.S.C. §103(a) as being unpatentable over Luciano in view of LeStrange.

### (a) Neither Luciano nor LeStrange teaches "storing" a voucher in a gaming machine.

Both of independent claims 1 and 25 recite the step of:

"storing said [ ] voucher in [ ] said [ ] gaming machine"

In particular, claim 25 further requires storing such a voucher "in a storage box within said gaming machine." As noted above and also set forth in each of claims 1 and 25, the context of such a storing step relates to the acceptance of the voucher by the gaming machine and the crediting of a cash value associated with the accepted voucher. The voucher is stored in the gaming machine and is also retrieved from the gaming machine, as also noted above and specified by each of claims 1 and 25.

The Office Action never specifically addresses this element or asserts that either of Luciano or LeStrange teaches such a step of *storing* a voucher in a gaming machine, much less points to any particular teaching or passage of either reference to show such a step. Applicant further submits that neither Luciano nor LeStrange teaches such a "storing" step within a gaming machine of a voucher that has been accepted and credited at the gaming machine. Accordingly, it is respectfully submitted that neither Luciano nor LeStrange, either alone or in combination, renders either of independent claims 1 or 25 as unpatentable for at least this reason.

### (b) Neither Luciano nor LeStrange teaches "retrieving" vouchers from a gaming machine.

Assuming, *arguendo*, that either of Luciano or LeStrange actually does teach or suggest some form of "storing" a voucher in a gaming machine, then neither of these references clearly teaches or suggests *retrieving* any vouchers from a gaming machine. Yet, each of claims 1, 14 and 25 recite:

"retrieving [ ] vouchers [from said gaming machine / storage box]"

In particular, claim 14 recites "retrieving intermingled cash vouchers and bill monies which have been credited." As noted above, the claimed invention provides for retrieving vouchers from a gaming machine, and in particular a storage box within the gaming machine, such that one or more reconciliation steps may occur. In contrast, the recited prior art does not even specifically teach of storing vouchers within a gaming machine, much less retrieving such vouchers from the gaming machine for any reconciliation process.

Nevertheless, the pending Office Action appears to point to Luciano as teaching these claim elements. In particular, the pending Office Action states, "Luciano is considered to disclose the step of accepting and crediting at a gaming machine including retrieving money and reading cash vouchers unique identifying element, and reconciling and sorting (column 5 lines 23-43)." A careful read of this exact passage in Luciano, however, does not reveal any indication that vouchers are retrieved from a gaming machine, much less a storage box within a gaming machine. As set forth previously in Applicant's Response of December 15, 2004, this exact passage of Luciano reads:

With reference now to FIG. 7, a player initiates play in the present system and method usually by handing cash (or other form of remuneration or credit) to a cashier attending a CT or MCT. The cashier enters the transaction into the CT through the keyboard, and the CT generates a unique transaction code to be printed on a voucher as noted above in connection with the discussion of FIG. 6. The CT then transmits the calculated transaction code and associated data (the time, date, amount tendered by the player) to the PAS. The PAS checks the validity of the information received from the CT, records the transaction code, amount of the voucher value and identifying data, and stores the information in the database. The PAS then transmits to the CT a confirmation of the validity of the code and stores all the information in a database record to be accessed by the unique transaction code. Upon receiving the confirmation the CT prints the voucher, such as shown in FIG. 6. The cashier then hands the voucher to the player so that the player may take the voucher to commence playing games of chance on any one of the PTs on the network, as shown in FIG. 1.

As was the case in 2004, Applicant remains at a loss today in understanding how this passage discloses or teaches the elements or steps of retrieving, sorting or reconciling of cash vouchers from gaming machines. While Applicant readily notes and acknowledges that Luciano discloses and teaches a system involving cash vouchers, the elements and steps of a gaming machine and the retrieving, sorting and reconciling of such cash vouchers from a gaming machine have not been shown to be present in Luciano.

For at least the foregoing reasons, it is respectfully submitted that claims 1, 14 and 25 are not rendered as unpatentable under 35 U.S.C. § 103(a) over Luciano in view of LeStrange.

(c) **Neither Luciano nor LeStrange teaches “sorting” retrieved vouchers from bill monies.**

Assuming further, *arguendo*, that Luciano and/or LeStrange actually do teach or suggest both “storing” a voucher in a gaming machine and “retrieving a voucher from a gaming machine, neither of these references further teaches or suggests *sorting* retrieved vouchers from bill monies. Yet, both of claims 14 and 25 further recite:

“sorting said [] voucher[s] from said bill [monies/money]”

As noted above, the claimed invention provides for retrieving vouchers from a gaming machine, and then sorting those vouchers from bill monies also accepted and stored by the gaming machine. In contrast, the recited prior art does not teach of storing vouchers within a gaming machine or retrieving such vouchers from the gaming machine, much less sorting such vouchers from any bill monies as might be needed for any reconciliation process.

Nevertheless, the pending Office Action again appears to point to Luciano as teaching such sorting claim steps as well. As noted above, the pending Office Action states, “Luciano is considered to disclose the step of accepting and crediting at a gaming machine including retrieving money and reading cash vouchers unique identifying element, and reconciling and sorting (column 5 lines 23-43).” This exact passage from Luciano is quoted above in its entirety, and another careful read of this passage does not reveal any indication that vouchers are sorted from bill monies retrieved from a gaming machine. Again, as has been the case since 2004, Applicant remains at a loss in understanding how this passage of Luciano discloses or teaches the step of sorting retrieved cash vouchers from bill monies.

For at least the foregoing reasons, it is respectfully submitted that claims 14 and 25 are not rendered as unpatentable under 35 U.S.C. § 103(a) over Luciano in view of LeStrange.

(d) **Neither Luciano nor LeStrange teaches “comparing” information from retrieved vouchers to information regarding accepted vouchers.**

Assuming still further, *arguendo*, that Luciano and/or LeStrange actually do teach or suggest both “storing” a voucher in a gaming machine, “retrieving” a voucher from a gaming machine, and “sorting” that voucher from bill money, neither of these references further teaches or suggests *comparing* information from vouchers retrieved from a gaming machine against information regarding accepted vouchers from that gaming machine. Yet, both of claims 1 and 25 further recite:

"comparing information from said [ ] voucher[s] to [an acceptance] record."

As noted above, the claimed invention provides for reconciling retrieved vouchers. Such reconciliation necessarily involves comparing information from the retrieved vouchers against records created when such vouchers were accepted and credited by the accepting gaming machines. In contrast, the recited prior art does not teach of storing vouchers within a gaming machine or retrieving such vouchers from the gaming machine, much less any type of affirmative comparison or other reconciliation process for retrieved vouchers against voucher acceptance records.

Yet again, however, the pending Office Action appears to point to Luciano as teaching reconciliation (i.e., comparing) claim steps as well. As noted above, the pending Office Action states, "Luciano is considered to disclose the step of accepting and crediting at a gaming machine including retrieving money and reading cash vouchers unique identifying element, and reconciling and sorting (column 5 lines 23-43)." Again, this exact passage from Luciano is quoted above in its entirety, and another careful read of this passage does not reveal any indication that information from vouchers retrieved from a gaming machine is compared against any information previously stored regarding such retrieved vouchers. Again, as has been the case since 2004, Applicant remains at a loss in understanding how this passage of Luciano discloses or teaches the elements or steps of retrieving, sorting or comparing information of cash vouchers from gaming machines.

For at least the foregoing reasons, it is respectfully submitted that claims 1 and 25 are not rendered as unpatentable under 35 U.S.C. § 103(a) over Luciano in view of LeStrange.

- (e) Neither Luciano nor LeStrange teaches "starting a time period" or "ending a time period" regarding accepting vouchers at a gaming machine.

Assuming yet even further, *arguendo*, that Luciano and/or LeStrange teach alone or in combination each of the foregoing claim elements, neither of these references further teaches or suggests starting or ending a time period with respect to accepting vouchers at a gaming machine. Yet, independent claim 25 further recites:

"starting a time period for a gaming machine in said gaming system," as well as "ending said time period for said gaming machine."

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such steps of starting or ending a time period with respect to a gaming machine, and it is respectfully submitted that the recited prior art neither discloses nor

suggests such starting and ending steps in any event. Support for such method steps may be found in the Specification at, for example, page 16, line 17 through page 17, line 4."

For at least the foregoing reason, it is respectfully submitted that claim 25 is not rendered as unpatentable under 35 U.S.C. § 103(a) over Luciano in view of LeStrange.

### 3. Dependent claims 3, 4 and 8

Claims 3, 4 and 8 also pertain to methods of utilizing, reconciling or using vouchers in a gaming system, and each depends directly or indirectly from independent claims 1. Claims 3, 4 and 8 are also all rejected under 35 U.S.C. § 103(a) as being unpatentable over Luciano in view of LeStrange.

#### (a) Dependent claim 3

Claim 3 depends indirectly from independent claim 1, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 3 recites the following claim step:

"sorting said at least one cash voucher from said at least one bill money."

As noted above in Section (A)(2)(c), although the pending Office Action points to a particular reference in Luciano, allegedly "to disclose the step of . . . sorting," this particular reference of Luciano neither discloses nor suggests such a sorting step. Accordingly, it is respectfully submitted that claim 3 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

#### (b) Dependent claim 4

Claim 4 depends directly from independent claim 1, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 4 recites the following claim step:

"reading information from said at least one cash voucher after said at least one cash voucher is retrieved from said at least one gaming machine."

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such a step of "reading information from [a] cash voucher after [such a] cash voucher is retrieved from [a] gaming machine," and it is respectfully submitted that the

recited prior art does not disclose nor suggest such a step in any event. Accordingly, it is respectfully submitted that claim 4 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

**(c) Dependent claim 8**

Claim 8 depends directly from independent claim 1, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claim 8 recites the following claim step:

“reconciling said at least one accepted cash voucher with said one or more retrieved cash vouchers.”

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such a step of “reconciling [an] accepted cash voucher with [] one or more retrieved cash vouchers,” and it is respectfully submitted that the recited prior art does not disclose nor suggest such a step in any event. Accordingly, it is respectfully submitted that claim 8 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 1.

**4. Independent claims 9 and 17**

Independent claims 9 and 17 pertain to soft count systems for reconciling vouchers used within a gaming system. Claims 9 and 17 are both rejected under 35 U.S.C. §103(a) as being unpatentable over Luciano in view of LeStrange.

**(a) No “sorting mechanism” taught by the prior art.**

Claim 9 recites the element of “a sorting mechanism arranged to sort bill monies and cash vouchers retrieved from [a] gaming machine,” while claim 17 recites the element of “at least one apparatus adapted to sort said cash vouchers from said bill monies retrieved from said at least one container.”

Despite both of these independent system claims teaching some form of sorting mechanism or apparatus arranged or adapted to sort accepted vouchers from accepted bill monies, the Office Action never specifically addresses this element or asserts that either of Luciano or LeStrange teaches such sorting mechanism or device. Applicant further submits that neither Luciano nor LeStrange teaches such a sorting mechanism or device, much less a sorting mechanism or device adapted to sort vouchers from bill monies within the context of a

soft count process. Accordingly, it is respectfully submitted that neither Luciano nor LeStrange, either alone or in combination, renders either of independent claims 9 or 17 as unpatentable for at least this reason.

**(b) No appropriate "data storage element" taught by the prior art.**

Assuming, *arguendo*, that either of Luciano or LeStrange actually does teach or suggest some form of "sorting" mechanism or apparatus, then neither of these references clearly teaches or suggests a data storage element for storing data *regarding accepted cash vouchers.*" Yet, claim 9 further recites:

"at least one data storage element for storing data regarding accepted cash vouchers, including a value of said accepted cash vouchers"

While it might be said that Luciano and/or LeStrange does include computing devices and potential associated data storage, the Office Action never points to any such item, much less any teaching as to where any data storage element is used specifically for storing data *regarding accepted cash vouchers*, as is presently claimed. Applicant respectfully submits that these references do not teach of such a specific purpose data storage element. As such, it is respectfully submitted that neither Luciano nor LeStrange, either alone or in combination, renders independent claim 9 as unpatentable for at least this reason as well.

**(c) No appropriate "computing device" taught by the prior art.**

Assuming further, *arguendo*, that either of Luciano or LeStrange actually does teach or suggest some form of "sorting" mechanism or apparatus, then neither of these references clearly teaches or suggests a computing device adapted to determine whether the value of sorted and scanned vouchers is the same as that of cash vouchers that were accepted." Yet, claim 17 further recites:

"a computing device adapted to determine whether the value of said sorted and scanned cash vouchers is the same as the value of cash vouchers accepted to said container."

While it might be said that Luciano and/or LeStrange does include computing devices, the Office Action never points to any teaching as to where any such computing device is used

specifically to determine value of sorted and scanned vouchers against the value of accepted vouchers, as is presently claimed. Applicant respectfully submits that these references do not teach of such a specifically adapted computing device. As such, it is respectfully submitted that neither Luciano nor LeStrange, either alone or in combination, renders independent claim 17 as unpatentable for at least this reason as well.

### 5. Dependent claims 10, 11 and 12

Dependent claims 10, 11 and 12 also pertain to soft count systems for reconciling vouchers used within a gaming system, and each depends directly from independent claim 9. Claims 10, 11 and 12 are also all rejected under 35 U.S.C. §103(a) as being unpatentable over Luciano in view of LeStrange.

#### (a) Dependent claim 10

Claim 10 depends indirectly from independent claim 9, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 9. Furthermore, dependent claim 10 recites the following claim element:

“wherein said sorting mechanism includes a high speed scanner.”

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such a high speed scanner, and it is respectfully submitted that the recited prior art does not disclose nor suggest such a high speed scanner. Accordingly, it is respectfully submitted that claim 10 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 9.

#### (b) Dependent claim 11

Claim 11 depends indirectly from independent claim 9, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 9. Furthermore, dependent claim 11 recites the following claim element:

“wherein said sorting mechanism includes a bill sorter and a reject area and said sorting mechanism is arranged to sort said cash vouchers into said reject area.”

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such a bill sorter and reject area, or that the sorting mechanism is arranged to sort vouchers into the reject area, and it is respectfully submitted that the recited prior art does not disclose nor suggest such any of these limitations. Accordingly, it is respectfully submitted that claim 11 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 9.

**(c) Dependent claim 12**

Claim 12 depends indirectly from independent claim 9, and is therefore submitted to be patentable over Luciano and LeStrange for at least the reasons set forth above with respect to claim 9. Furthermore, dependent claim 12 recites the following claim element:

“wherein said soft count system includes means for generating an image of at least one of said cash vouchers.”

The pending Office Action does not point to any particular reference in the prior art that allegedly teaches such a means for generating an image of a cash voucher, and it is respectfully submitted that the recited prior art does not disclose nor suggest such any such item. Accordingly, it is respectfully submitted that claim 12 is patentable over Luciano and LeStrange for at least this reason, as well as for the reasons stated above with regards to independent claim 9.

**B) Conclusion**

In view of the forgoing, it is respectfully submitted that none of the pending claims are rendered as obvious by Luciano or LeStrange, either alone or in combination, and that the rejections of the pending claims in the pending Office Action under are therefore erroneous. Accordingly, it is respectfully requested that the pending rejections of all claims be reversed.

Respectfully Submitted,  
BEYER WEAVER & THOMAS, LLP



Justin A. White  
Reg. No. 48,883

Date: July 20, 2006

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300

**VIII. CLAIMS APPENDIX****CLAIMS ON APPEAL**

1. (previously presented) A method, implemented on a gaming system including at least one gaming machine, of utilizing a voucher in the gaming system comprising the steps of:
  - issuing at least one cash voucher having a particular cash value associated therewith;
  - accepting by said at least one gaming machine said at least one cash voucher;
  - crediting said particular cash value to a player of said at least one gaming machine;
  - generating a record regarding said at least one accepted cash voucher;
  - storing said at least one cash voucher in said at least one gaming machine;
  - retrieving one or more cash vouchers from said at least one gaming machine; and
  - comparing information from said one or more retrieved cash vouchers to information regarding said at least one accepted cash voucher contained in said record.
2. (previously presented) The method in accordance with Claim 1 wherein said at least one gaming machine is arranged to accept bill monies, and further including the steps of:
  - accepting by said at least one gaming machine at least one bill money; and
  - crediting the value of said at least one bill money to a player of said at least one gaming machine.
3. (previously presented) The method in accordance with Claim 2, further including the steps of:
  - retrieving said at least one bill money and said at least one cash voucher from said at least one gaming machine; and
  - sorting said at least one cash voucher from said at least one bill money.

4. (previously presented) The method in accordance with Claim 1, further including the step of:

reading information from said at least one cash voucher after said at least one cash voucher is retrieved from said at least one gaming machine.

5. (previously presented) The method in accordance with Claim 4 wherein said step of reading comprises scanning a bar code associated with said cash voucher.

6. (previously presented) The method in accordance with Claim 1 wherein multiple cash vouchers are accepted by said at least one gaming machine and said step of comparing comprises comparing the values of all cash vouchers accepted by said at least one gaming machine to the values of the cash vouchers retrieved from the machine.

7. (previously presented) The method in accordance with Claim 1 wherein each of said at least one accepted cash voucher and each of said one or more retrieved cash vouchers has a unique identifying element and said comparing step comprises comparing said identifying element of each retrieved cash voucher against identification information stored in said record of said at least one accepted cash voucher.

8. (previously presented) The method in accordance with Claim 1, further including the step of:

reconciling said at least one accepted cash voucher with said one or more retrieved cash vouchers.

9. (previously presented) In a gaming system including at least one gaming machine arranged to accept both bill monies and cash vouchers and store accepted bill monies and cash vouchers with one another, a soft count system for reconciling cash vouchers accepted by said at least one gaming machine with cash vouchers retrieved by said at least one gaming machine comprising:

at least one data storage element for storing data regarding accepted cash vouchers, including a value of said accepted cash vouchers;

a sorting mechanism arranged to sort bill monies and cash vouchers retrieved from said at least one gaming machine; and

a scanner for reading information associated with said cash vouchers.

10. (original) The gaming system in accordance with Claim 9 wherein said sorting mechanism includes a high speed scanner.

11. (previously presented) The gaming system in accordance with Claim 9 wherein said sorting mechanism includes a bill sorter and a reject area and said sorting mechanism is arranged to sort said cash vouchers into said reject area.

12. (previously presented) The gaming system in accordance with Claim 9 wherein said soft count system includes means for generating an image of at least one of said cash vouchers.

13. (original) The gaming system in accordance with Claim 9 wherein said soft count system includes at least one hand-held scanner.

14. (previously presented) A method, implemented on a gaming system including at least one gaming machine, of reconciling cash vouchers and bill monies accepted by the gaming machine comprising:

crediting automatically on said gaming machine a value associated with a cash voucher or bill money accepted by said gaming machine;

retrieving intermingled cash vouchers and bill monies which have been credited;

sorting said cash vouchers from said bill monies; and

determining if a total value of said retrieved cash vouchers and bill monies comprises the total value credited for said accepted cash vouchers and bill monies.

15. (previously presented) The method in accordance with Claim 14, further including:

storing said cash vouchers and bill monies after said crediting.

16. (previously presented) The method in accordance with Claim 14, further including the step of:

scanning said cash vouchers to obtain value information associated with each cash

voucher.

17. (previously presented) A system including at least one gaming machine in which a user is permitted to make payment in the form of bill monies or cash vouchers comprising:

at least one container for storing accepted bill monies and cash vouchers with one another;

at least one apparatus adapted to sort said cash vouchers from said bill monies retrieved from said at least one container;

at least one apparatus adapted to scan said cash vouchers to obtain value and identification information regarding each cash voucher; and  
a computing device adapted to determine whether the value of said sorted and scanned cash vouchers is the same as the value of cash vouchers accepted to said container.

18. (previously presented) The system in accordance with Claim 17 wherein a single apparatus is adapted to sort said cash vouchers and bill monies and scan said cash vouchers.

19. (previously presented) The system in accordance with Claim 17, wherein said gaming machine is arranged to accept bill monies and cash vouchers and store said bill monies and cash vouchers in said at least one container.

20. (previously presented) The system in accordance with Claim 17 wherein at least one of said cash vouchers has a bar code printed thereon and said value and identification information for said at least one of said cash vouchers is associated with said bar code.

21. (original) The system in accordance with Claim 20 wherein said at least one apparatus adapted to scan comprises a laser-beam scanner for reading said bar code.

22. (previously presented) The system in accordance with Claim 17 wherein said computing device comprises a computer having information stored regarding the value of said accepted cash vouchers.

23-24. (canceled)

25. (previously presented) A method of using tangible vouchers in a gaming system, comprising:

issuing a first tangible voucher having a first particular cash value associated therewith and a first bar code displayed thereupon, said first bar code including at least a first validation code for said first tangible voucher;

creating a first host record of said issuance of said first tangible voucher at a central host location, said first host record including said first validation code;

starting a time period for a gaming machine in said gaming system, said gaming machine being adapted to accept wagers, play games based on said wagers, and grant monetary awards based on the results of said games;

accepting said first tangible voucher by said gaming machine;

reading said first bar code of said first tangible voucher with an automated validating mechanism at said gaming machine;

determining said first validation code from said reading of said first bar code at said gaming machine;

sending said first validation code from said gaming machine to said central host, said central host being located at a remote location from said gaming machine;

comparing said first validation code sent from said gaming machine with said first validation code stored in said first host record at said central host;

validating said first tangible voucher within said gaming machine as a result of a match between said first validation codes;

crediting said first particular cash value to a credit meter at said gaming machine;

generating a first acceptance record regarding the acceptance and validation of said first tangible voucher at said gaming machine;

permitting a monetary wager to be made at said gaming machine with credit from said first particular cash value credited to said credit meter;

playing a game based on said monetary wager at said gaming machine;

granting a monetary award based on an outcome of said game;

storing said first tangible voucher in a storage box within said gaming machine;

accepting a bill money by said gaming machine;

crediting the cash value of said bill money to said credit meter;

generating a bill acceptance record regarding the acceptance of said bill money at said gaming machine;

storing said bill money in said storage box along with said first tangible voucher;

issuing a second tangible voucher having a second particular cash value associated therewith and a second bar code displayed thereupon, said second bar code including at least a second validation code for said second tangible voucher;

creating a second host record of said issuance of said second tangible voucher at said central host location, said second host record including said second validation code;

accepting said second tangible voucher by said gaming machine;

reading said second bar code of said second tangible voucher with said automated validating mechanism at said gaming machine;

determining said second validation code from said reading of said second bar code at said gaming machine;

sending said second validation code from said gaming machine to said central host;

comparing said second validation code sent from said gaming machine with said second validation code stored in said second host record at said central host;

validating said second tangible voucher within said gaming machine as a result of a match between said second validation codes;

crediting said second particular cash value to said credit meter;  
generating a second acceptance record regarding the acceptance and validation of said  
second tangible voucher at said gaming machine;  
storing said second tangible voucher in said storage box in intermingled fashion with  
said bill money and said first tangible voucher;  
ending said time period for said gaming machine;  
retrieving all tangible vouchers and bill monies from said storage box, including said  
first tangible voucher, said second tangible voucher and said bill money;  
sorting said first tangible voucher and second tangible voucher from said bill money;  
comparing information from said first bar code on said first tangible voucher to said  
first acceptance record;  
comparing information from said bill money to said bill acceptance record;  
comparing information from said second bar code on said second tangible voucher to  
said second acceptance record; and  
comparing a total value of all retrieved tangible vouchers and bill monies to a total  
value of all tangible vouchers and bill monies credited at said gaming machine during said  
time period.

26. (previously presented) The method in accordance with Claim 25, wherein said first  
tangible voucher comprises a printed ticket.

**IX. EVIDENCE APPENDIX**

**NONE**

**X. RELATED PROCEEDINGS APPENDIX**

**NONE**